

International Intelligence Collaborative Corporation (An International Consultative Firm) >

Irrefutable Proof ICTY Is Corrupt Court/Irrefutable Proof the Hague Court Cannot Legitimately Prosecute Karadzic Case





PHOTO: Of Dr. Radovan Karadzic (Convicted Being Held Illegally Of War Crimes & Genocide By the Western Powers Who Illegally and Unilaterally Bombed The Former Yugoslav (Civilian Targets of Which I Possess Mainly PAL VHS Movies Which Are Documentary Evidence Proving This Is An Innocent Man Being Held In a JAIL Cell (Of A Highly Corrupt Court in Which I Personally Eye Witnessed in A Closed ICC (Int'l Court Preparatory Meeting (I Sat Across From Richard Holbrooke Who Held a Pen in One Hand and A Legal Pad In The Other Next To the Ambassador From Israel , Who I Might Add Both Laughed, As IF IT WAS A REALLY FUNNY JOKE SO TO SPEAK," IN LIEU OF WHAT IT TRULY WAS-> A SUBSTANTIALLY LONG CONVERSATION IN WHICH EVERY AMBASSADOR IN THE ENTIRE WORLD DISCUSSED TRADING ICC VERDICTS OF GUILT & INNOCENCE, AND, ALSO FUTURE JUDICIAL APPOINTMENTS, FOR THE HIGHEST AMOUNT OF MONEY EACH STATE WOULD GIVE THIS COURT FOR FINANCIAL CONTRIBUTIONS . This makes the ICTY and current ICC Court corrupt to the extent, no man, no matter what accused of, has every legal precedent of legal international jurisprudence and LEGAL STANDING TO IMMEDIATELY BE SENT BACK TO THEIR COUNTRY OF ORIGIN TO BE TRIED IF AT ALL ! I AM A WITNESS TO THIS MEETING AND WILLING TO TAKE A POLYGRAPH TEST TO PROVE IT Vs. SERGE BRAMMERTZ AND EXPLAIN TO THE ENTIRE WORLD WHEREFORE THE ICTY AND ICC ARE USED AS A PERSONAL FINANCIAL INSTITUTION OF THE NETHERLANDS! I PERSONALLY HAVE BEEN ALMOST ASSASSINATED NUMEROUS TIMES HERE IN BLOOMINGDALE NEW JERSEY AND THREATENED FOR TELLING THIS BUT I WILL NEVER ALLOW AN INNOCENT MAN TO9 WASTE AWAY ILLEGALLY AT THE HANDS OF A CORRUPT JUDICIAL SYSTEM SINCE AS AN EXTREMELY RELIGIOUS RUSSIAN ORTHODOX CHRISTIAN WOMAN, I WILL GO TO MY GRAVE TRYING TO GET THOSE JAILED IN THE HAGUE'S CORRUPT JAIL OUT! I WILL NOT BE DETERRED! BUT MY COMMITMENT ONLY MADE STRONGER TO THIS CASE.

**Irrefutable Proof ICTY Is Corrupt Court/Irrefutable Proof the Hague Court Cannot
Legitimately Prosecute Karadzic Case**



<http://picasaweb.google.com/lpcyusa>

**(The Documentary Secret United Nations ICC (CLOSED UNITED NATIONS MEETINGS TO
ESTABLISH AN INTERNATIONAL CRIMINAL COURT I ATTENDED in (2001)**

**I represented the country of, The Republika of Srpska, and I was an, United States
Citizen). No one ever did this before. There was no “observer status for NGOs.**

**These Secret Documentary Evidence Shows the ICC, can smuggle GOLD BARS, DRUGS
AND ANYTHING ELSE THEY WANT TO WITHOUT DECLARING THEM, ORGANIZED CRIME**

WISH THEY HAD SUCH A DEAL, ALL THEY HAVE TO DO IS STATE, THEY ARE CARRYING THESE ITEMS AROUND THE WORLD , "IN THE NAME OF THEIR ICC COURT."

THEY HAD SUBSTANTIAL DISCUSSIONS ON TRADING CRIMINAL VERDICTS FOR CASH COUNTRY FUNDING FROM THE EU AND OTHER COUNTRIES STATING THE WILL PUT ANYONE IN JAIL IN THEIR HAGUE JAIL CELLS, FOR THE HIGHEST COUNTRY THAT GIVES IT THE MOST CASH AND DISCUSSED AUCTIONING OFF VERDICTS STARTING AT THE PRICE IN \$30,000 SAID THE BRITISH AMBASSADOR. Another Ambassador said he thought it , " was better to buy a criminal verdict from the ICC, for \$40,000- and other Ambassadors spoke is if criminal life sentences were merely auction items for cash . And, they had the right to put anyone they wanted in jail by "PAYING OFF THE HAGUE AND IT'S PROSECUTOR, SERGE BRAMMERTZ..

THERE ARE THEIR SECRET PAPERS WHICH STATED NO ONE WAS TO EVER DISCUSS WHAT WAS STATED IN THIS MEETING OR THEY WOULD BE PROSECUTED TO THE HIGHEST EXTENT OF INTERNATIONAL AND NATIONAL LAWS AND JAIL.

THIS IS NOT RIGHT AND I AM NOT AN AMBASSADOR SO THIS DOES NOT APPLY TO ME I AM MAKING THIS PUBLIC AS AN INTERNATIONAL NEWS STORY.

JILL STARR



**Preparatory Commission for the
International Criminal Court**

Distr.: Limited
27 February 2001
Original: English

New York
13-31 March 2000
12-30 June 2000
27 November-8 December 2000

**Proceedings of the Preparatory Commission at its sixth
session (27 November-8 December 2000)**

Addendum

Annex IV

**Draft agreement on the privileges and immunities of
the Court**

Discussion paper proposed by the Coordinator

Corrigendum

Footnote y to article 23

In the last line of paragraph (b) of the reformulation to article 23 contained in
footnote y, replace the words:

"immunity has been waived" by the words:

"immunity has not been waived".

21 February 2001

English

Original: Spanish

**Preparatory Commission for the International
Criminal Court**

**Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York, 26 February-9 March 2001

24 September-5 October 2001

**Proposal submitted by Colombia in relation to document
PCNICC/2000/L.4/Rev.1/Add.3**

The delegation of Colombia reiterates, as a necessary premise for discussing the draft Agreement, strict observance of the Statute of Rome and of the delicate balance achieved in the Rules of Procedure and Evidence.

In relation to "Funds and freedom from currency restrictions" (art. 10), the delegation is in agreement with alternative 1, because of the necessity imposed by article 2 of the Agreement, namely the legal status and juridical personality of the Court.

The delegation stresses respect for and protection of the balance in terms of privileges and immunities among the persons appearing before the Court, and between those persons and the Court itself, in order to ensure proper guarantee of the right to a defense both of the accused and of the victims.

Accordingly, provisions such as those contained in articles 3, "General provisions on privileges and immunities of the Court", 4, "Inviolability of the premises of the Court", 7, "Inviolability of archives and all documents of the Court",¹ 11, "Facilities in respect of communications",² 13, "Privileges and immunities of the representatives of States Parties",³ 14, "Judges, Prosecutor, Deputy Prosecutors and Registrar" and 15, "Officials of the Court" must in the view of the Colombian delegation be a starting point for balance among all participants in the International Criminal Court, that is to say, judges, prosecutors or officials, and

¹ Attention is drawn to the concept of the privilege found both in the Statute and in the Rules of Procedure and Evidence, thus establishing, among other principles, professional secrecy; the principle of inviolability.

² With reference to paragraphs 2 and 3, so that a balance is maintained between the defence and the victims with regard to means of communication, inviolability and non-interference.

³ Especially with reference to subparagraphs (a), (e), (f), (h) and (g).



likewise counsel for the defence both of the accused and of the victims. It must be noted that use of the term "Counsel" refers to the members of the defence.

For the purposes of ensuring this balance, the Colombian delegation considers it necessary to adjust the content of article 16 by incorporating the reference to location ("in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business") provided for in article 15, so that it would read as follows:

"16. Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded ...".

With respect to the immunities provided for in paragraph 1 of this article, we believe that a subparagraph should be inserted reading:

"(c) Inviolability of the office or premises in which they perform their work".

Likewise, we propose amending the last sentence of article 16, paragraph 2. The word "reasonably" used in the draft involves a subjective component which might result in impairment of the right to a defence. Consequently, the Colombian delegation suggests the following wording:

"A certificate provided to a counsel shall be limited to the period for which the power or mandate conferred on the defence is in effect".

With regard to "Waiver" (art. 19), we have the following comments:

(a) According to the provisions of article 48, paragraph 5, of the Statute, "privileges and immunities ... may be waived (italics added). Nevertheless, article 19, paragraph 1, of the draft under consideration provides in this respect that "where it is a duty to do so in any particular case ...". There is justified doubt as to whether this is obligatory, in that the Statute, as noted, does not provide for this possibility, and bearing in mind that the privileges and immunities are guaranteed "in the interests of the good administration of justice", the waiver is an arrangement, not an order, in other words it is not obligatory;

(b) With regard to waiver of the privileges and immunities extended to counsel, experts, witnesses or any other person required to be present in the Court, we consider it appropriate to decide on the procedure to be followed in the Agreement, not to leave it to the Regulations. For the sake of the necessary balance that must exist between officials of the Court and the defence, as well as the participants referred to, we suggest that consideration should be given to a procedure similar to that provided for in the case of waiver by a judge or the Prosecutor, thus the subparagraph might read as follows:

"(e) In the case of counsels, experts, witnesses or any other person required to be present at the seat of the Court, by an absolute majority of the judges."

likewise counsel for the defence both of the accused and of the victims. It must be noted that use of the term "Counsel" refers to the members of the defence.

For the purposes of ensuring this balance, the Colombian delegation considers it necessary to adjust the content of article 16 by incorporating the reference to location ("in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business") provided for in article 15, so that it would read as follows:

"16. Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded ...".

With respect to the immunities provided for in paragraph 1 of this article, we believe that a subparagraph should be inserted reading:

"(c) Inviolability of the office or premises in which they perform their work".

Likewise, we propose amending the last sentence of article 16, paragraph 2. The word "reasonably" used in the draft involves a subjective component which might result in impairment of the right to a defence. Consequently, the Colombian delegation suggests the following wording:

"A certificate provided to a counsel shall be limited to the period for which the power or mandate conferred on the defence is in effect".

With regard to "Waiver" (art. 19), we have the following comments:

(a) According to the provisions of article 48, paragraph 5, of the Statute, "privileges and immunities ... may be waived (italics added). Nevertheless, article 19, paragraph 1, of the draft under consideration provides in this respect that "where it is a duty to do so in any particular case ...". There is justified doubt as to whether this is obligatory, in that the Statute, as noted, does not provide for this possibility, and bearing in mind that the privileges and immunities are guaranteed "in the interests of the good administration of justice", the waiver is an arrangement, not an order, in other words it is not obligatory;

(b) With regard to waiver of the privileges and immunities extended to counsel, experts, witnesses or any other person required to be present in the Court, we consider it appropriate to decide on the procedure to be followed in the Agreement, not to leave it to the Regulations. For the sake of the necessary balance that must exist between officials of the Court and the defence, as well as the participants referred to, we suggest that consideration should be given to a procedure similar to that provided for in the case of waiver by a judge or the Prosecutor, thus the subparagraph might read as follows:

"(e) In the case of counsels, experts, witnesses or any other person required to be present at the seat of the Court, by an absolute majority of the judges."

21 February 2001

English

Original: Spanish

**Preparatory Commission for the International
Criminal Court**

**Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York, 26 February-9 March 2001

24 September-5 October 2001

**Proposal submitted by Colombia in relation to document
PCNICC/2000/L.4/Rev.1/Add.3**

The delegation of Colombia reiterates, as a necessary premise for discussing the draft Agreement, strict observance of the Statute of Rome and of the delicate balance achieved in the Rules of Procedure and Evidence.

In relation to "Funds and freedom from currency restrictions" (art. 10), the delegation is in agreement with alternative 1, because of the necessity imposed by article 2 of the Agreement, namely the legal status and juridical personality of the Court.

The delegation stresses respect for and protection of the balance in terms of privileges and immunities among the persons appearing before the Court, and between those persons and the Court itself, in order to ensure proper guarantee of the right to a defense both of the accused and of the victims.

Accordingly, provisions such as those contained in articles 3, "General provisions on privileges and immunities of the Court", 4, "Inviolability of the premises of the Court", 7, "Inviolability of archives and all documents of the Court",¹ 11, "Facilities in respect of communications",² 13, "Privileges and immunities of the representatives of States Parties",³ 14, "Judges, Prosecutor, Deputy Prosecutors and Registrar" and 15, "Officials of the Court" must in the view of the Colombian delegation be a starting point for balance among all participants in the International Criminal Court, that is to say, judges, prosecutors or officials, and

¹ Attention is drawn to the concept of the privilege found both in the Statute and in the Rules of Procedure and Evidence, thus establishing, among other principles, professional secrecy; the principle of inviolability.

² With reference to paragraphs 2 and 3, so that a balance is maintained between the defence and the victims with regard to means of communication, inviolability and non-interference.

³ Especially with reference to subparagraphs (a), (e), (f), (h) and (g).



registration requirements and national service obligations in the State Party they are visiting or through which they are passing in the exercise of their functions;

(f) The same privileges and facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(g) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys under the Vienna Convention;

(h) The same protection and repatriation facilities with respect to themselves, their spouses and other members of their families forming part of their household as are accorded to diplomatic agents in time of international crisis under the Vienna Convention;

(i) Such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic agents enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise as part of their personal baggage) or from excise duties or sales taxes.

2. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of States Parties attending the meetings of the Court and the Assembly are present in a State Party for the discharge of their duties shall not be considered as periods of residence.

3. ~~Privileges and immunities are accorded to the representatives of States Parties not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the work of the Court and the Assembly. Consequently, a State Party not only has the right but is under a duty to waive the immunity of its representative in any case where, in the opinion of that State Party, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.~~

4.3. The provisions of paragraphs 1 and 2 of this article are not applicable as between a representative and the authorities of the State Party of which he or she is a national or of which he or she has been a representative.

Article 13 bis

Privileges and immunities of the representative of a State participating in the proceedings of the Court

1. Representatives of States participating in the proceedings of the Court shall, while exercising their official functions, and during their journey to and from the place of the proceedings, enjoy the privileges and immunities referred to in article 13.

Article 19

Waiver

1. The privileges and immunities provided for in articles 14 to 17 of the present Agreement are granted in the interests of the good administration of justice and not for the personal benefit of the individuals themselves. Such privileges and immunities may be waived in accordance with article 43, paragraph 5, of the Statute and the provisions of this article and there is a duty to do so in any particular case.

registration requirements and national service obligations in the State Party they are visiting or through which they are passing in the exercise of their functions;

(f) The same privileges and facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(g) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys under the Vienna Convention;

(h) The same protection and repatriation facilities with respect to themselves, their spouses and other members of their families forming part of their household as are accorded to diplomatic agents in time of international crisis under the Vienna Convention;

(i) Such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic agents enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise as part of their personal baggage) or from excise duties or sales taxes.

2. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of States Parties attending the meetings of the Court and the Assembly are present in a State Party for the discharge of their duties shall not be considered as periods of residence.

3. ~~Privileges and immunities are accorded to the representatives of States Parties not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the work of the Court and the Assembly. Consequently, a State Party not only has the right but is under a duty to waive the immunity of its representative in any case where, in the opinion of that State Party, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.~~

4.3. The provisions of paragraphs 1 and 2 of this article are not applicable as between a representative and the authorities of the State Party of which he or she is a national or of which he or she has been a representative.

Article 13 bis

Privileges and immunities of the representative of a State participating in the proceedings of the Court

1. Representatives of States participating in the proceedings of the Court shall, while exercising their official functions, and during their journey to and from the place of the proceedings, enjoy the privileges and immunities referred to in article 13.

Article 19

Waiver

1. The privileges and immunities provided for in articles 14 to 17 of the present Agreement are granted in the interests of the good administration of justice and not for the personal benefit of the individuals themselves. Such privileges and immunities may be waived in accordance with article 43, paragraph 5, of the Statute and the provisions of this article and there is a duty to do so in any particular case.

27 February 2001

Original: English

**Preparatory Commission for the International
Criminal Court****Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York

26 February-9 March 2001

24 September-5 October 2001

Revised text of article 13 of the draft agreement on the
privileges and immunities of the Court and other
consequential amendments submitted by Canada, as they
emerge from footnote i of document
PCNICC/2000/L.4/Rev.1/Add.3

Article 13

Privileges and immunities of the representatives of States Parties participating in the
Assembly and its subsidiary organs

1. Representatives of States Parties and intergovernmental organizations
attending meetings of the Court and the Assembly and its subsidiary organs and
representatives of other States that may be attending the Assembly as
observers, in accordance with paragraph 1 of article 112 of the Statute, shall,
while exercising their official functions and during their journey to and from the
place of meeting, enjoy the following privileges and immunities:

2. (a) Immunity from personal arrest or detention;
- (b) Immunity from legal process of any kind in respect of words spoken or
written, and all acts performed by them in their official capacity; such immunity
shall continue notwithstanding that the persons concerned may have ceased to
exercise their functions as representatives of States Parties;
- (c) Inviolability of all papers and documents;
- (d) The right to use codes, to receive papers or correspondence by courier or
in sealed bags, and to receive and send electronic communications;
- (e) Exemption with respect to themselves, their spouses and other members
of their families forming part of their household from immigration restrictions, alien



27 February 2001

Original: English

**Preparatory Commission for the International
Criminal Court****Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York

26 February-9 March 2001

24 September-5 October 2001

Revised text of article 13 of the draft agreement on the
privileges and immunities of the Court and other
consequential amendments submitted by Canada, as they
emerge from footnote i of document
PCNICC/2000/L.4/Rev.1/Add.3

Article 13

Privileges and immunities of the representatives of States Parties participating in the
Assembly and its subsidiary organs

1. Representatives of States Parties and intergovernmental organizations
attending meetings of the Court and the Assembly and its subsidiary organs and
representatives of other States that may be attending the Assembly as
observers, in accordance with paragraph 1 of article 112 of the Statute, shall,
while exercising their official functions and during their journey to and from the
place of meeting, enjoy the following privileges and immunities:

2. (a) Immunity from personal arrest or detention;
- (b) Immunity from legal process of any kind in respect of words spoken or
written, and all acts performed by them in their official capacity; such immunity
shall continue notwithstanding that the persons concerned may have ceased to
exercise their functions as representatives of States Parties;
- (c) Inviolability of all papers and documents;
- (d) The right to use codes, to receive papers or correspondence by courier or
in sealed bags, and to receive and send electronic communications;
- (e) Exemption with respect to themselves, their spouses and other members
of their families forming part of their household from immigration restrictions, alien



27 February 2001

Original: English

**Preparatory Commission for the International
Criminal Court****Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York

26 February-9 March 2001

24 September-5 October 2001

Revised text of article 13 of the draft agreement on the
privileges and immunities of the Court and other
consequential amendments submitted by Canada, as they
emerge from footnote i of document
PCNICC/2000/L.4/Rev.1/Add.3

Article 13

Privileges and immunities of the representatives of States Parties participating in the
Assembly and its subsidiary organs

1. Representatives of States Parties and intergovernmental organizations
attending meetings of the Court and the Assembly and its subsidiary organs and
representatives of other States that may be attending the Assembly as
observers, in accordance with paragraph 1 of article 112 of the Statute, shall,
while exercising their official functions and during their journey to and from the
place of meeting, enjoy the following privileges and immunities:

2. (a) Immunity from personal arrest or detention;
- (b) Immunity from legal process of any kind in respect of words spoken or
written, and all acts performed by them in their official capacity; such immunity
shall continue notwithstanding that the persons concerned may have ceased to
exercise their functions as representatives of States Parties;
- (c) Inviolability of all papers and documents;
- (d) The right to use codes, to receive papers or correspondence by courier or
in sealed bags, and to receive and send electronic communications;
- (e) Exemption with respect to themselves, their spouses and other members
of their families forming part of their household from immigration restrictions, alien



where they can be waived without prejudice to the purpose for which they are accorded.

2. The privileges and immunities may be waived:

(a) In the case of a judge or the Prosecutor, by an absolute majority of the judges;

(b) In the case of the Registrar, by the Presidency of the Court;

(c) In the case of the Deputy Prosecutor and the staff of the Office of the Prosecutor, by the Prosecutor;

(d) In the case of the Deputy Registrar and the staff of the Registry, by the Registrar;

(e)* In the case of counsel, experts, witnesses or any other person required to be present at the seat of the Court, by the Court in accordance with its Regulations.

3. Privileges and immunities are accorded to the representatives of States Parties not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the work of the Court and the Assembly. Consequently, a State Party not only has the right but is under a duty to waive the immunity of its representative in any case where, in the opinion of that State Party, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Court in accordance with its Regulations by an absolute majority of the Judges;

(f) Waiver of immunity of personnel recruited locally and assigned to hourly rates?

Article 20 Notification

The Registrar shall communicate periodically to all States Parties the categories and names of persons to which the provisions of the present Agreement shall apply, in particular the Judges, the Prosecutor, the Deputy Prosecutors, the Registrar and officials of the Court, counsel, experts, witnesses and other persons required to be present at the seat of the Court. The Registrar shall also communicate to all States Parties information on any change in the status of these persons. Notification regarding experts and witnesses shall be subject to any decisions taken by the Court regarding the protection of witnesses and experts.

Article 21 Laissez-passer

The States Parties shall recognize and accept the United Nations laissez-passer issued to the Judges, the Prosecutor, the Deputy Prosecutors, the Registrar and officials of the Court as a valid travel document.

Article 22 Visas

Applications for visas or entry/exit permits, where required, from all persons who are holders of the United Nations laissez-passer, and also from persons referred to in articles 16 and 17 of the present Agreement, who have a certificate or other document issued by the Court confirming that they are travelling on the business of the Court, shall be dealt with by the States Parties as speedily as possible and granted free of charge.

3. To the extent necessary to carry out the functions of the Court, the property, funds and assets of the Court wherever located and by whomsoever held, shall be exempt from restrictions, regulations, controls or moratoria of any nature.

Article 7

Inviolability of archives and all documents of the Court

The archives of the Court, and in general all documents and materials being sent to or from the Court, belonging to the Court or held by it, wherever located and by whomsoever held, shall be inviolable. Such inviolability shall be without prejudice to protective measures that the Court may order pursuant to the Statute and the rules of procedure and evidence with regard to documents and materials made available to or used by the Court. When documents are made available to the Court and are subsequently returned to their originators, the inviolability of these documents ceases subject to any protective orders made by the Court.

Article 8

Exemption from taxes, customs duties and import or export restrictions

1. The Court, its assets, income and other property, and its operations and transactions shall be exempt from all direct taxes, which include, inter alia, income tax, capital tax, corporation tax as well as direct taxes levied by local and provincial authorities. It is understood, however, that the Court shall not claim exemption from taxes which are, in fact, no more than charges for public utility services, provided at a fixed rate according to the amount of services rendered and which can be specifically identified, described and itemized.

2. The Court shall be exempt from all customs duties, import turnover taxes and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Court for its official use and in respect of its publications.

3. Goods imported or purchased under such an exemption shall not be sold or otherwise disposed of in the territory of a State Party, except under conditions agreed with the competent authorities of that State Party.

Article 9

Reimbursement of duties and/or taxes

1. The Court shall not, as a general rule, claim exemption from duties and taxes which are included in the price of movable and immovable property and taxes paid for services rendered. Nevertheless, when the Court for its official use makes major purchases of property and goods or services on which identifiable duties and taxes are charged or are chargeable, States Parties shall make appropriate administrative arrangements for the exemption of such charges or reimbursement of the amount of duty and/or tax paid.

2. Goods purchased under such an exemption or reimbursement shall not be sold or otherwise disposed of, except in accordance with

WORKING GROUP ON AN AGREEMENT ON THE
PRIVILEGES AND IMMUNITIES OF THE
INTERNATIONAL CRIMINAL COURT

Article 2

The Court shall have international legal personality and shall also have such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes. It shall possess ~~judicial personality and~~, in particular, have the capacity: to contract, to acquire and dispose of immovable and movable property; and to participate in legal proceedings.

Article 3

The Court shall enjoy in the territory of each State Party such privileges and immunities as are necessary for the fulfilment of its purposes.

Article 4

The premises of the Court shall be inviolable.

Article 5

The Court shall be entitled to display its flag, emblem and markings at its premises and on vehicles and other means of transportation used for official purposes.

Article 6

1. The Court, and its property, funds and assets, wherever located and by whomsoever held, shall be immune from every form of legal process, except insofar as in any particular case the Court has expressly waived its immunity. It is, however, understood that such waiver of immunity shall not extend to any measure of execution.

2. The property, funds and assets of the Court, wherever located and by whomsoever held, shall be immune from search, seizure, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

1 March 2001

**WORKING GROUP ON AN AGREEMENT ON THE
PRIVILEGES AND IMMUNITIES OF THE
INTERNATIONAL CRIMINAL COURT**

**Coordinator's informal discussion paper on
articles 2 to 12*bis* and 14 to 22**

Article 2

Legal status and juridical personality of the Court

The Court shall have international legal personality and shall also have such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes. It shall ~~possess juridical personality and~~, in particular, have the capacity to contract, to acquire and dispose of immovable and movable property and to participate in legal proceedings.

Article 3

General provisions on privileges and immunities of the Court

The Court shall enjoy in the territory of each State Party such privileges and immunities as are necessary for the fulfilment of its purposes.

Article 4

Inviolability of the premises of the Court

The premises of the Court shall be inviolable.

Article 5

Flag, emblem and markings

The Court shall be entitled to display its flag, emblem and markings at its premises and on vehicles and other means of transportation used for official purposes.

Article 6

Immunity of the Court, its property, funds and assets

1. The Court, and its property, funds and assets, wherever located and by whomsoever held, shall be immune from every form of legal process, except insofar as in any particular case the Court has expressly waived its immunity. It is, however, understood that such waiver of immunity shall not extend to any measure of execution.

2. The property, funds and assets of the Court, wherever located and by whomsoever held, shall be immune from search, seizure, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

the conditions laid down by the State Party which granted the exemption or reimbursement. No exemption or reimbursement shall be accorded in respect of charges for public utility services provided to the Court.

Article 10

Funds and freedom from currency restrictions

1. Without being restricted by financial controls, regulations or financial restrictions of any kind, while carrying out its activities:

(a) The Court may hold funds, currency of any kind or gold and operate accounts in any currency;

(b) The Court shall be free to transfer its funds, gold or its currency from one country to another or within any country and to convert any currency held by it into any other currency;

(c) The Court may receive, hold, negotiate, transfer, convert or otherwise deal with bonds and other financial securities;

(d) The Court shall enjoy the same facilities, if any, in respect of rates of exchange for its financial transactions as are accorded to the most favourably treated foreign mission in that particular State Party.

2. In exercising its rights under paragraph 1, the Court shall pay due regard to any representations made by any State Party insofar as it is considered that effect can be given to such representations without detriment to the interests of the Court.

Article 11

Facilities in respect of communications

1. The Court shall enjoy in the territory of each State Party for the purposes of its official communications and correspondence treatment not less favourable than that accorded by the State Party concerned to any intergovernmental organization or diplomatic mission in the matter of priorities, rates and taxes applicable to mail and the various forms of communication and correspondence.

2. No censorship shall be applied to the official communications or correspondence of the Court.

3. The Court may use all appropriate means of communication, including electronic means of communication, and shall have the right to use codes or cipher for its official communications and correspondence. The official communications and correspondence of the Court shall be inviolable.

4. The Court shall have the right to dispatch and receive correspondence and other materials or communications by courier or in sealed bags, which shall have the same privileges, immunities and facilities as diplomatic couriers and bags.

5. The Court shall have the right to operate radio and other telecommunications equipment on its registered frequencies and those allocated to it by the States Parties concerned.

Article 12

Exercise of the functions of the Court outside the headquarters

In the event that the Court pursuant to paragraph 2 of Article 3 of the Rome Statute considers it desirable to sit elsewhere than at its headquarters at The Hague in the Netherlands, the Court may conclude with the State concerned an arrangement concerning the provision of the appropriate facilities for the exercise of its functions.

Article 12 (bis)

Crimes under the jurisdiction of the Court

Articles 13 to 17 are without prejudice to article 27 of the Statute.

Article 14

Judges, Prosecutor, Deputy Prosecutors and Registrar

1. The judges, the Prosecutor, the Deputy Prosecutors and the Registrar shall, when engaged on or with respect to the business of the Court, enjoy the same privileges and immunities as are accorded to heads of diplomatic missions and shall, after the expiry of their terms of office, continue to be accorded immunity from legal process of every kind in respect of which spoken or written and acts performed by them in their official capacity, diplomatic agents under the Vienna Convention. After the expiry of their terms of office, they shall continue to be accorded immunity from legal process of every kind in respect of words which had been spoken or written and acts which had been performed by them in their official capacity.

2. The judges, the Prosecutor, the Deputy Prosecutors and the Registrar and members of their families forming part of their households shall be accorded every facility for leaving the country where they may happen to be and for entering and leaving the country where the Court is sitting. On journeys in connection with the exercise of their functions, they shall in all States Parties through which they may have to pass enjoy all the privileges, immunities and facilities granted by States Parties to diplomatic agents in similar circumstances under the Vienna Convention.

3. If a judge, the Prosecutor, the Deputy Prosecutor or the Registrar, for the purpose of holding themselves at the disposal of the Court, reside in any State Party other than that of which they are nationals or permanent residents, they shall, together with the members of their families forming part of their households, be accorded diplomatic privileges, immunities of diplomatic agents and facilities during the period of their residence.

4. The judges, the Prosecutor, the Deputy Prosecutors and the Registrar and members of their families forming part of their households in time of international crisis shall be accorded the same

registration facilities as are accorded to diplomatic agents under the Vienna Convention.

5. Paragraphs 1 to 4 of this article shall apply to judges of the Court even after their term of office has expired if they continue to exercise their functions in accordance with article 36, paragraph 1b, of the Statute.

7. The salaries, emoluments and allowances paid to the judges, the Prosecutor, the Deputy Prosecutors and the Registrar by the Court shall be exempt from taxation. Where the incidence of any form of taxation depends upon residence, periods during which the judges, the Prosecutor, the Deputy Prosecutors and the Registrar are present in a State Party for the discharge of their functions shall not be considered as periods of residence for purposes of taxation. States Parties may take these salaries, emoluments and allowances into account for the purpose of assessing the amount of taxes to be applied to income from other sources.

8. States Parties shall not be obliged to exempt from income tax pensions or annuities paid to former judges, Prosecutors and Registrars and their dependants.

Article 15

Officials of the Court

1. Officials of the Court shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions. They shall be accorded:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts performed by them in their official capacity, which immunity shall continue to be accorded even after termination of employment with the Court;

(c) Inviolability for all official papers and documents of the Court;

(d) Exemption from taxation on the salaries, emoluments and allowances paid to them by the Court. States Parties may take these salaries, emoluments and allowances into account for the purpose of assessing the amount of taxes to be applied to income from other sources.

(e) Immunity from national service obligations;

(f) Together with members of their families forming part of their household, exemption from immigration restrictions or alien registration;

(g) Exemption from inspection of personal baggage, unless there are serious grounds for believing that the baggage contains articles not for personal use or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of

registration facilities as are accorded to diplomatic agents under the Vienna Convention.

5. Paragraphs 1 to 4 of this article shall apply to judges of the Court even after their term of office has expired if they continue to exercise their functions in accordance with article 36, paragraph 1b, of the Statute.

7. The salaries, emoluments and allowances paid to the judges, the Prosecutor, the Deputy Prosecutors and the Registrar by the Court shall be exempt from taxation. Where the incidence of any form of taxation depends upon residence, periods during which the judges, the Prosecutor, the Deputy Prosecutors and the Registrar are present in a State Party for the discharge of their functions shall not be considered as periods of residence for purposes of taxation. States Parties may take these salaries, emoluments and allowances into account for the purpose of assessing the amount of taxes to be applied to income from other sources.

8. States Parties shall not be obliged to exempt from income tax pensions or annuities paid to former judges, Prosecutors and Registrars and their dependants.

Article 15

Officials of the Court

1. Officials of the Court shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions. They shall be accorded:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts performed by them in their official capacity, which immunity shall continue to be accorded even after termination of employment with the Court;

(c) Inviolability for all official papers and documents of the Court;

(d) Exemption from taxation on the salaries, emoluments and allowances paid to them by the Court. States Parties may take these salaries, emoluments and allowances into account for the purpose of assessing the amount of taxes to be applied to income from other sources.

(e) Immunity from national service obligations;

(f) Together with members of their families forming part of their household, exemption from immigration restrictions or alien registration;

(g) Exemption from inspection of personal baggage, unless there are serious grounds for believing that the baggage contains articles not for personal use or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of

facilities provided for in article 16, subparagraphs (a) to (f), of the present Agreement.

2. Experts, witnesses and other persons ~~required to be present at the seat of the Court~~ involved in the proceedings of the Court or all those who assist the Court shall be accorded repatriation facilities in time of international crisis.

3. Experts, witnesses and other persons accorded the privileges, immunities and facilities referred to in paragraph 1 of this article shall be provided by the Court with a document certifying that their presence is required at the seat of the Court and specifying a time period during which such presence is necessary.

Article 18

Cooperation with the authorities of States Parties

1. The Court shall cooperate at all times with the appropriate authorities of States Parties to facilitate the execution of their laws and to prevent the occurrence of any abuse in connection with the privileges, immunities and facilities referred to in the present Agreement.

2. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying privileges and immunities under the present Agreement to respect the laws and regulations of the State Party in whose territory they may be on the business of the Court or through whose territory they may pass on such business. They also have a duty not to interfere in the internal affairs of that State.

Article 19

Waiver

1. The privileges and immunities provided for in articles 14 to 17 of the present Agreement are granted in the interests of the good administration of justice and not for the personal benefit of the individuals themselves. Such privileges and immunities may be waived in accordance with article 48, paragraph 5, of the Statute and the provisions of this article and there is a duty to do so in any particular case, where they can be waived without prejudice to the purpose for which they are accorded.

2. The privileges and immunities may be waived:

- (a) In the case of a judge or the Prosecutor, by an absolute majority of the judges;
- (b) In the case of the Registrar, by the Presidency of the Court;
- (c) In the case of the Deputy Prosecutor and the staff of the Office of the Prosecutor, by the Prosecutor;
- (d) In the case of the Deputy Registrar and the staff of the Registry, by the Registrar;
- (e) In the case of counsel, experts, witnesses or any other person ~~required to be present at the seat of the Court~~, involved in the proceedings of the Court or all those who assist the Court, by the

the State Party concerned, an inspection in such a case shall be conducted in the presence of the official concerned;

(h) The same privileges in respect of exchange facilities as are accorded to the officials of comparable rank of diplomatic missions established in the State Party concerned;

(i) Together with members of their families forming part of their household, the same repatriation facilities in time of international crisis as are accorded to diplomatic agents under the Vienna Convention;

(j) The right to import free of duties and taxes, except payments for services, their furniture and effects at the time of first taking post in the State Party in question and to re-export the same free of duty to their country of permanent residence.

Article 15bis

Personnel recruited locally and assigned to hourly rates

2. Personnel recruited by the Court locally and assigned to hourly rates shall be accorded immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity for the Court. Such immunity shall continue to be accorded after termination of employment with the Court. They shall also be accorded such other facilities as may be necessary for their independent exercise of their functions for the Court.

3. States Parties shall not be obliged to exempt from income tax pensions or annuities paid to former officials and their dependants.

Article 16

Counsel

1. Counsel before the Court and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall be accorded such treatment as is necessary for the proper functioning of the Court and shall be accorded upon production of the certificate referred to in paragraph 2 of this article during the period of their missions, including the time spent on journeys in connection with their missions, the privileges, immunities and facilities necessary for the independent performance of their functions under the Statute. They shall be accorded—Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy such privileges, immunities and facilities as are necessary for the independent performance of their functions in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts performed by them in their

facilities provided for in article 16, subparagraphs (a) to (f), of the present Agreement.

2. Experts, witnesses and other persons ~~required to be present at the seat of the Court~~ involved in the proceedings of the Court or all those who assist the Court shall be accorded repatriation facilities in time of international crisis.

3. Experts, witnesses and other persons accorded the privileges, immunities and facilities referred to in paragraph 1 of this article shall be provided by the Court with a document certifying that their presence is required at the seat of the Court and specifying a time period during which such presence is necessary.

Article 18

Cooperation with the authorities of States Parties

1. The Court shall cooperate at all times with the appropriate authorities of States Parties to facilitate the execution of their laws and to prevent the occurrence of any abuse in connection with the privileges, immunities and facilities referred to in the present Agreement.

2. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying privileges and immunities under the present Agreement to respect the laws and regulations of the State Party in whose territory they may be on the business of the Court or through whose territory they may pass on such business. They also have a duty not to interfere in the internal affairs of that State.

Article 19

Waiver

1. The privileges and immunities provided for in articles 14 to 17 of the present Agreement are granted in the interests of the good administration of justice and not for the personal benefit of the individuals themselves. Such privileges and immunities may be waived in accordance with article 48, paragraph 5, of the Statute and the provisions of this article and there is a duty to do so in any particular case, where they can be waived without prejudice to the purpose for which they are accorded.

2. The privileges and immunities may be waived:

- (a) In the case of a judge or the Prosecutor, by an absolute majority of the judges;
- (b) In the case of the Registrar, by the Presidency of the Court;
- (c) In the case of the Deputy Prosecutor and the staff of the Office of the Prosecutor, by the Prosecutor;
- (d) In the case of the Deputy Registrar and the staff of the Registry, by the Registrar;
- (e) In the case of counsel, experts, witnesses or any other person ~~required to be present at the seat of the Court~~, involved in the proceedings of the Court or all those who assist the Court, by the

the State Party concerned, an inspection in such a case shall be conducted in the presence of the official concerned;

(b) The same privileges in respect of exchange facilities as are accorded to the officials of comparable rank of diplomatic missions established in the State Party concerned;

(c) Together with members of their families forming part of their household, the same repatriation facilities in time of international crisis as are accorded to diplomatic agents under the Vienna Convention;

(d) The right to import free of duties and taxes, except payments for services, their furniture and effects at the time of first taking post in the State Party in question and to re-export the same free of duty to their country of permanent residence.

Article 15bis

Personnel recruited locally and assigned to hourly rates

2. Personnel recruited by the Court locally and assigned to hourly rates shall be accorded immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity for the Court. Such immunity shall continue to be accorded after termination of employment with the Court. They shall also be accorded such other facilities as may be necessary for their independent exercise of their functions for the Court.

3. States Parties shall not be obliged to exempt from income tax pensions or annuities paid to former officials and their dependants.

Article 16

Counsel

1. Counsel before the Court and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall be accorded such treatment as is necessary for the proper functioning of the Court and shall be accorded upon production of the certificate referred to in paragraph 2 of this article during the period of their missions, including the time spent on journeys in connection with their missions, the privileges, immunities and facilities necessary for the independent performance of their functions under the Statute. They shall be accorded—Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy such privileges, immunities and facilities as are necessary for the independent performance of their functions in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written and all acts performed by them in their

official capacity, which immunity shall continue to be accorded even after they have ceased to exercise their functions;

(c) Inviolability of documents and papers relating to the exercise of their functions as counsel;

(c)(b) Inviolability of the office or premises in which they perform their work;

(d) The right to receive and send papers or correspondence by courier or in sealed bags and to receive and send electronic communications;

(e) Exemption from immigration restrictions or alien registration;

(f) Exemption from inspection of personal baggage, unless there are serious grounds for believing that the baggage contains articles not for personal use or articles the import or export of which is prohibited by law or controlled by the quarantine regulations of the State Party concerned; an inspection in such a case shall be conducted in the presence of the counsel concerned;

(g) The same facilities in respect of currency and exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(h) The same repatriation facilities in time of international crises as are accorded to diplomatic agents under the Vienna Convention.

2. Upon appointment in accordance with the Statute and the Regulations of the Court, a counsel shall be provided with a ~~certificate indicating his or her status under the signature of the Registrar. A certificate provided to a counsel shall be limited to a period reasonably required for the proceedings.~~ a certificate provided to a counsel and persons assisting such counsel shall be limited to the period for which the power or mandate conferred on them is in effect.

3. Where the incidence of any form of taxation depends upon residence, periods during which counsel are present in a State Party for the discharge of their functions shall not be considered as periods of residence.

Article 17

Experts, witnesses, victims and other persons required to be present at the seat of the Court involved in the proceedings of the Court or all those who assist the Court

1. Experts, witnesses, victims participating in the proceedings in accordance with rules 89 to 91 of the Rules of Procedure and Evidence, and other persons ~~required to be present at the seat of the Court involved in the proceedings of the Court or all those who assist the Court~~ shall be accorded such treatment as is necessary for the proper functioning of the Court and shall be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges, immunities and

21 February 2001

English

Original: Spanish

**Preparatory Commission for the International
Criminal Court**

**Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York, 26 February-9 March 2001

24 September-5 October 2001

**Proposal submitted by Colombia in relation to document
PCNICC/2000/L.4/Rev.1/Add.3**

The delegation of Colombia reiterates, as a necessary premise for discussing the draft Agreement, strict observance of the Statute of Rome and of the delicate balance achieved in the Rules of Procedure and Evidence.

In relation to "Funds and freedom from currency restrictions" (art. 10), the delegation is in agreement with alternative 1, because of the necessity imposed by article 2 of the Agreement, namely the legal status and juridical personality of the Court.

The delegation stresses respect for and protection of the balance in terms of privileges and immunities among the persons appearing before the Court, and between those persons and the Court itself, in order to ensure proper guarantee of the right to a defense both of the accused and of the victims.

Accordingly, provisions such as those contained in articles 3, "General provisions on privileges and immunities of the Court", 4, "Inviolability of the premises of the Court", 7, "Inviolability of archives and all documents of the Court",¹ 11, "Facilities in respect of communications",² 13, "Privileges and immunities of the representatives of States Parties",³ 14, "Judges, Prosecutor, Deputy Prosecutors and Registrar" and 15, "Officials of the Court" must in the view of the Colombian delegation be a starting point for balance among all participants in the International Criminal Court, that is to say, judges, prosecutors or officials, and

¹ Attention is drawn to the concept of the privilege found both in the Statute and in the Rules of Procedure and Evidence, thus establishing, among other principles, professional secrecy; the principle of inviolability.

² With reference to paragraphs 2 and 3, so that a balance is maintained between the defence and the victims with regard to means of communication, inviolability and non-interference.

³ Especially with reference to subparagraphs (a), (e), (f), (h) and (g).



21 February 2001

English

Original: Spanish

**Preparatory Commission for the International
Criminal Court**

**Working Group on an Agreement on the Privileges
and Immunities of the International Criminal Court**

New York, 26 February-9 March 2001

24 September-5 October 2001

**Proposal submitted by Colombia in relation to document
PCNICC/2000/L.4/Rev.1/Add.3**

The delegation of Colombia reiterates, as a necessary premise for discussing the draft Agreement, strict observance of the Statute of Rome and of the delicate balance achieved in the Rules of Procedure and Evidence.

In relation to "Funds and freedom from currency restrictions" (art. 10), the delegation is in agreement with alternative 1, because of the necessity imposed by article 2 of the Agreement, namely the legal status and juridical personality of the Court.

The delegation stresses respect for and protection of the balance in terms of privileges and immunities among the persons appearing before the Court, and between those persons and the Court itself, in order to ensure proper guarantee of the right to a defense both of the accused and of the victims.

Accordingly, provisions such as those contained in articles 3, "General provisions on privileges and immunities of the Court", 4, "Inviolability of the premises of the Court", 7, "Inviolability of archives and all documents of the Court",¹ 11, "Facilities in respect of communications",² 13, "Privileges and immunities of the representatives of States Parties",³ 14, "Judges, Prosecutor, Deputy Prosecutors and Registrar" and 15, "Officials of the Court" must in the view of the Colombian delegation be a starting point for balance among all participants in the International Criminal Court, that is to say, judges, prosecutors or officials, and

¹ Attention is drawn to the concept of the privilege found both in the Statute and in the Rules of Procedure and Evidence, thus establishing, among other principles, professional secrecy; the principle of inviolability.

² With reference to paragraphs 2 and 3, so that a balance is maintained between the defence and the victims with regard to means of communication, inviolability and non-interference.

³ Especially with reference to subparagraphs (a), (e), (f), (h) and (g).



likewise counsel for the defence both of the accused and of the victims. It must be noted that use of the term "Counsel" refers to the members of the defence.

For the purposes of ensuring this balance, the Colombian delegation considers it necessary to adjust the content of article 16 by incorporating the reference to location ("in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business") provided for in article 15, so that it would read as follows:

"16. Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded ...".

With respect to the immunities provided for in paragraph 1 of this article, we believe that a subparagraph should be inserted reading:

"(c) Inviolability of the office or premises in which they perform their work".

Likewise, we propose amending the last sentence of article 16, paragraph 2. The word "reasonably" used in the draft involves a subjective component which might result in impairment of the right to a defence. Consequently, the Colombian delegation suggests the following wording:

"A certificate provided to a counsel shall be limited to the period for which the power or mandate conferred on the defence is in effect".

With regard to "Waiver" (art. 19), we have the following comments:

(a) According to the provisions of article 48, paragraph 5, of the Statute, "privileges and immunities ... may be waived (italics added). Nevertheless, article 19, paragraph 1, of the draft under consideration provides in this respect that "where it is a duty to do so in any particular case ...". There is justified doubt as to whether this is obligatory, in that the Statute, as noted, does not provide for this possibility, and bearing in mind that the privileges and immunities are guaranteed "in the interests of the good administration of justice", the waiver is an arrangement, not an order, in other words it is not obligatory;

(b) With regard to waiver of the privileges and immunities extended to counsel, experts, witnesses or any other person required to be present in the Court, we consider it appropriate to decide on the procedure to be followed in the Agreement, not to leave it to the Regulations. For the sake of the necessary balance that must exist between officials of the Court and the defence, as well as the participants referred to, we suggest that consideration should be given to a procedure similar to that provided for in the case of waiver by a judge or the Prosecutor, thus the subparagraph might read as follows:

"(e) In the case of counsels, experts, witnesses or any other person required to be present at the seat of the Court, by an absolute majority of the judges."

likewise counsel for the defence both of the accused and of the victims. It must be noted that use of the term "Counsel" refers to the members of the defence.

For the purposes of ensuring this balance, the Colombian delegation considers it necessary to adjust the content of article 16 by incorporating the reference to location ("in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business") provided for in article 15, so that it would read as follows:

"16. Counsel and persons assisting such Counsel in accordance with rule 22 of the Rules of Procedure and Evidence shall enjoy in any State Party where they may be on the business of the Court, or in any State Party through which they may pass on such business, such privileges, immunities and facilities as are necessary for the independent performance of their functions, subject to production of the certificate referred to in paragraph 2 of this article. They shall be accorded ...".

With respect to the immunities provided for in paragraph 1 of this article, we believe that a subparagraph should be inserted reading:

"(c) Inviolability of the office or premises in which they perform their work".

Likewise, we propose amending the last sentence of article 16, paragraph 2. The word "reasonably" used in the draft involves a subjective component which might result in impairment of the right to a defence. Consequently, the Colombian delegation suggests the following wording:

"A certificate provided to a counsel shall be limited to the period for which the power or mandate conferred on the defence is in effect".

With regard to "Waiver" (art. 19), we have the following comments:

(a) According to the provisions of article 48, paragraph 5, of the Statute, "privileges and immunities ... may be waived (italics added). Nevertheless, article 19, paragraph 1, of the draft under consideration provides in this respect that "where it is a duty to do so in any particular case ...". There is justified doubt as to whether this is obligatory, in that the Statute, as noted, does not provide for this possibility, and bearing in mind that the privileges and immunities are guaranteed "in the interests of the good administration of justice", the waiver is an arrangement, not an order, in other words it is not obligatory;

(b) With regard to waiver of the privileges and immunities extended to counsel, experts, witnesses or any other person required to be present in the Court, we consider it appropriate to decide on the procedure to be followed in the Agreement, not to leave it to the Regulations. For the sake of the necessary balance that must exist between officials of the Court and the defence, as well as the participants referred to, we suggest that consideration should be given to a procedure similar to that provided for in the case of waiver by a judge or the Prosecutor, thus the subparagraph might read as follows:

"(e) In the case of counsels, experts, witnesses or any other person required to be present at the seat of the Court, by an absolute majority of the judges."

REPUBLIC OF SRPSKA
PRESIDENCY

Ref.
Pale, December 7, 1992

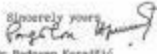
UNPROFOR - SARAJEVO
MAJOR GENERAL P. MORILLON

Sir,

The Muslims from the area of Srebrenica brutally attacked locations in the Municipality of Milici on December 3, 1992. During the attack on the facilities of the firm "Bok-sit", 11 employees were killed and 21 wounded. Some dead attackers had weapons and ammunition produced by Arab countries and several UNPROFOR packages.

We are sharply protesting against the assault whose victims are civilians and are asking you to check whether the UNPROFOR packages had anything to do with the last convoy to Srebrenica.

We are enclosing a copy of the letter we have just received from Mayor of Milici, Mr. Mile Lalević.

Sincerely yours

Dr Radovan Karadzic
PRESIDENT OF THE PRESIDENCY

Radovan Karadzic Questioned ILLEGAL WEAPON SALES Way Back in Bosnian WAR! Anyone

Care To Answer ?

Nov 13, 2011

The Republic of Srpska
-Civilian Affairs Committee for Srebrenica-
No: 07-07/92
Date: July 17 1992

DECLARATION

at the Representatives of the Civilian Authorities of the Enclave of Srebrenica on the realization of the agreement on the evacuation of the civilian population of the Enclave.

A meeting was held on July 17 1992 in the "Hotel Bosna", on our request, between representatives of our civilian authorities and representatives of the civilian authorities and the Army of the Republic of Bosnia and Herzegovina concerning the evacuation of our civilian population out of the enclave.

Our side was represented by: Paskovic Samir, Nuhovic Ibro and Mr. Nuhic Nuhic.

The Serb side was represented by: Civil Affairs Commissioner for Srebrenica Borislav Stresan, General Bako Radoic, the President of the County of Bratunac Ljiljana Sindr, the Chief Executive of the County of Bratunac Srbslav Spivodic, the Chief of Police Jovanik Mr. Jasic, General Kevic, Corps Security Chief Dr. Popovic and Colonel Krstic.

The negotiations were attended by an UNPROFOR Representative.

The following was agreed:

- The civilian population can remain in the enclave or evacuate, dependent upon the wish of each individual;
- In the event that we wish to evacuate it is possible for us to choose the direction of our movement and have decided that the entire population is to evacuate to the territory of the County of Ključ;
- It has been agreed that the evacuation is to be carried out by the Army and Police of the Republic of Srpska, supervised and executed by UNPROFOR.

After the Agreement had been reached, I assure that the evacuation was carried out by the Serb side correctly and the claims of the agreement had been adhered to.

During the evacuation there were no incidents on either of the sides and the Serb side has adhered to all the regulations of Geneva Conventions and the international law. On the way out, the Serb side, guided by UNPROFOR, did not commit any violations.

Representative of the Civilian Authorities of the Enclave of Srebrenica

 /Stresan Borislav/

 /Nuhic Nuhic/

Civil Affairs Commissioner for Srebrenica

 /Paskovic Samir/

Evidence (Documentary) Of Serbian Army Abiding By UN Human Rights Standards During Srebrenica

Affair

Nov 13, 2011

ГЛАВНОМ ШТАБУ
ВОЈСКЕ РЕПУБЛИКЕ СРБИЈЕ

СТР.НОБ, бр. 04-53/13
16.04.1993 год.

На основу члана 50 Устава Републике Српске и
члана 5 Одлуке о формирању Врховне команде Војске Републике Српске,
по указаној потреби

Н А Р Е Д Б У

1. Обузавати све дејства Војске Републике Српске по
Сребреници и око Сребренице, осим оних у веомај одбрани.
2. Заушавати снаге Војске Републике Српске на
достигнутим положајима и не дозволити никак улазак у Сребреницу.
3. Обавијести пролаз свих хуманитарних возвојана,
како на улазку у Сребреницу, тако и на излазку из града.
4. Обавиједити пацификацију града, тако сто се
муслиманске снаге предати оружје ЗАПОВОЈУ-у, а ЗАПОВОЈУ зато
покривати по систему два клуча, заједно се враћати снагама.
5. Након предаје оружја све муслиманске борце
третирати као и друге цивиле.
Уста у заштити све цивиле и оставити им слободан
избор да иду или остану.
6. Не вршити никакву истрагу о ратним злочинима до
омиривања ситуације око Сребренице.
7. Наредбу извршити одмах и у потпуности и обавијестити
на о реализацији.



16.04.93 18.10 h
[Signature]

This Paper Proves the Muslim Leadership During the Bosnian War PRE-PLANNED the Evacuation of Their Own Muslim People During the " So Called" Ethnic Cleansing of the Srebrenica Enclave During the Bosnian War. The Muslim Governmental Leaders Did This To Get Militaristic Aid From the United States and the NATO Whom sent, US Diplomat Richard Holbrooke, to tell the Muslim Leaders in Bosnia During the Civil War There That the US Would NOT Assist Them Militarily UNLESS A CERTAIN NUMBER OF MUSLIM PERSONS DIE FIRST! So the Muslims planned an assault on their own people to obtain Aid From the NATO powers, purposely allowing the Srebrenica To Occur, even planning it altogether!

REPUBLIC OF SERBIA
PRESIDENCY

Ref.
Fale, Decembre 3, 1992

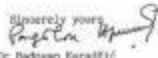
UNPROFOR - SARAJEVO
MAJOR GENERAL P. MORILLON

Sir,

The Muslims from the area of Srebrenica brutally attacked locations in the Municipality of Milici on Decembre 3, 1992. During the attack on the facilities of the firm "Sok-sit", 11 employees were killed and 21 wounded. Some dead attackers had weapons and ammunition produced by Arab countries and several UNPROFOR packages.

We are sharply protesting against the assault whose victims are civilians and are asking you to check whether the UNPROFOR packages had anything to do with the last convoy to Srebrenica.

We are enclosing a copy of the letter we have just received from Mayor of Milici, Mr. Mile Lalevic.

Sincerely yours

Dr Radovan Karadzic
PRESIDENT OF THE PRESIDENCY

This legal technicality indicates the Hague must dismiss charges against Dr Karadzic and

others awaiting trials in the Hague jail; like it or not.

This legal technicality indicates the Hague must dismiss charges against Dr Karadzic and others awaiting trials in the Hague jail; like it or not.

Unfortunately for the Signatures Of the Rome Statute United Nations member states instituting the ICC and ICTY housed at the Hague, insofar as the, Radovan Karadzic, as with the other Hague cases awaiting trial there, I personally witnessed these United Nations member states having a substantial conversation and openly speaking about trading judicial appointments and verdicts for financial funding when I attended the 2001 ICC Preparatory Meetings at the UN in Manhattan making the iCTY and ICC morally incapable trying Radovan Karadzic and Others.



РЕПУБЛИКА СРПСКА
ПРЕДСЕДНИК РЕПУБЛИКЕ
САРАЈЕВО

МУП РЕПУБЛИКЕ СРПСКЕ
Н/Р МИНИСТРА

Стр.пов. број: 01-1341/95⁵¹
Датум: 11.07.1995. године

На основу члана 80. Устава Републике Српске и члана 7.
Закона о одбрани

Н А Р Е Љ У Ј Е М

1. Након успостављања власти Републике Српске на подручју општине Српска Сребреница формирати Станицу јавне безбедности Српска Сребреница.

2. Рад Станице одвијаће се сходно Закону о унутрашњим пословима Републике Српске и других законских и подзаконских аката.

3. Посебну пажњу посветити заштити јавног реда и мира, личној и имовинској безбедности грађана, спречавању вршења кривичних дела и проналажењу извршилаца, као и заштити објеката привреде.

4. Све грађане који су учествовали у борбама против српске војске третирати као ратне заробљенике и са њима поступати у духу закона и међународних конвенција, а осталим омогућити слободан избор места живљења и пресељења.

5. Чврсту сарадњу успоставити са Мирославом Дероњићем, цивилним комесаром општине Српска Сребреница, као и другим органима и организацијама на овом простору.



Regarding the CLOSED MEETING PREPARATORY COMMITTEE MEETINGS TO ESTABLISH AN INTERNATIONAL CRIMINAL COURT I ATTENDED IN 2001 WITH EVERY CHIEF AMBASSADOR IN THE WORLD I eye witnessed, the exact caliber of criminal corruption running so very deeply at the Hague, that it was a perfectly viable topic of legitimate conversation in those meetings I attended to debate trading verdicts AND judicial appointments, for monetary funding.

Jilly wrote: "The rep from Spain became distraught and when her country's proposal was not taken too well by the chair of the meeting, then Spain argued in a particularly loud and noticeable strongly vocal manner, "Spain (my country) strongly believes if we contribute most financial support to the Hague's highest court, that ought to give us and other countries feeding it financially MORE direct power over its decisions."

())))))))) ())))))))) Instead of censoring the country representative from Spain for even bringing up this unjust, illegal and unfair judicial idea of bribery for international judicial verdicts and judicial appointments, all country representatives present in the meeting that day all treated the Spain proposition as a "totally legitimate topic" discussed and debated it between each other for some time. I was quite shocked! The idea was "let's discuss it." "It's a great topic to discuss."

Some countries agreed with Spain's propositions while others did not. The point here is, bribery for judicial verdicts and judicial appointments was treated as a totally legitimate topic instead of an illegitimate topic which it is

Unfortunately for the Signatures Of the Rome Statute United Nations member states instituting the ICC and ICTY housed at the Hague, insofar as the, Radovan Karadzic, as with the other Hague cases awaiting trial there, I personally witnessed these United Nations member states having a substantial conversation and openly speaking about trading judicial appointments and verdicts for financial funding when I attended the 2001 ICC Preparatory Meetings at the UN in Manhattan making the iCTY and ICC morally incapable trying Radovan Karadzic and others.

international criminal court.))))))))))))))))))))))))))))))

In particular., since "Spain" was so overtly unafraid in bringing up this topic of trading financial funding the ICC for influence over its future judicial appointments and verdicts in front of every other UN member state present that day at the UN, "Spain" must have already known by previous experience the topic of bribery was "socially acceptable" for conversation that day. They must have previously spoke about bribing the ICTY and ICC before in meetings; this is my take an international sociological honor student.

SPAIN's diplomatic gesture of international justice insofar as, Serbia, in all of this is, disgusting morally!

SPAIN HAS TAUGHT THE WORLD THE TRUE DEFINITION OF AN
"INTERNATIONAL CRIMINAL COURT."

I remind everyone, when I attended those ICC Preparatory Meetings in 2001, witnessing first hand the country plenipotentiary representatives present with me discussing so openly, trading judicial funding of a new international criminal court, for its direct judicial appointments and judicial verdicts, those same state powers were concurrently, those same countries and people were already simultaneously, funding the already established ICTY which was issuing at that time, arrest warrants for Bosnian Serbs under false primary diplomatic pretenses. The ICTY and ICC is just where it should be for once. Cornered and backed into and an international wall, scared like a cornered animal (and I bet it reacts in the same way a rabid cornered animal does too in such circumstances).
(ICTY associates)

<http://picasaweb.google.com/lpcyusa/ViewMyHagueInternationalCriminalCourtPreparatoryDocumentsFromThe2001UnitedNations#>

(Evidence Against the ICTY)

<http://picasaweb.google.com/lpcyusa/DuringTheTrialOfRamushHaradinajIn2006TheHagueWaCrimesTribunalForTheFormerYugoslav#>

(Documents: Hague war crimes tribunal for the former Yugoslavia (ICTY) has destroyed all material evidence about the monstrous KLA Albanian/KLA organ trade in Kosovo)

I represented the state interests' of the Former Yugoslavia, in Darko Trifunovic absence in those meetings and I am proud to undertake this effort on Serbia's behalf.

=====

=====

As totally immersed and interesting as I found the topics, the African ambassador seated found boring. I say this owing to noticing during the entire meeting he was merely doodling nonsensical pictures on some legal pad. I think that no one took more notes that day than me. I was especially interested in the interstate bickering about financing the international criminal court should and when it came about. Spain was particularly forceful in vocalizing its opinion that the countries giving the most monetary contributions to the court itself ought have more power over both its staffing and its innocent and guilty verdicts as well as judges appointed. My suspicions' equally shared by scholars such as Noam Chomsky and former attorney general, Ramsey Clark were now fully justifiably confirmed. The court itself was a great travesty of justice and I was actually

witnessing quarrels between countries insofar as controlling the courts judges and verdicts based on financial contributions rather than on law and true international justice.